

THE HONORABLE RICARDO S. MARTINEZ

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**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA**

ANGELA CAMPBELL,

Plaintiff,

v.

PUGET SOUND COLLECTIONS, INC.

Defendant.

NO. 3:21-cv-05429-RSM

**STIPULATED MOTION AND ORDER
AMENDING PLAINTIFF'S
COMPLAINT**

I. STIPULATED MOTION

The parties have met and conferred for purposes of this motion.

Plaintiff seeks leave to amend Plaintiff's First Amended Complaint ("FAC"), (Dkt 1-1), and file a second Amended Complaint ("SAC") in order to streamline the litigation and eliminate unnecessary issues from contention.

Defendant consents to amending the FAC, so long as amendment does not interfere with consideration of its pending dispositive motions. (Dkt 11). The Parties agree the proposed amendments should not interfere with consideration of Defendant's motions because the proposed amendments consists almost entirely in deletion of allegations made by Plaintiff.

1 Plaintiff seeks to delete the following allegations contained in the FAC, (Dkt 1-1)”

2 1. Plaintiff will delete ¶ 1.18, which alleged: “Plaintiff disputed the account to
3 Defendants.”

4 2. Plaintiff will delete ¶ 1.19, which alleged: “Defendant refused to cease
5 collections.”

6 3. Plaintiff will delete citation to an “Exhibit C” in ¶ 4.6 of the FAC, and will not
7 file this exhibit with the SAC.

8 4. Plaintiff will delete ¶ 4.15, which alleged: “Plaintiff disputed the account.”

9 5. Plaintiff will delete ¶ 4.16, which alleged: “On January 6, 2021, Defendant
10 responded to Plaintiff’s dispute with another collection letter. Ex. C.”

11 6. Plaintiff will delete ¶ 4.16, which alleged: “Defendant’s response demanded
12 \$32.87 interest, for a total demand of \$1,582.87. Ex. C.”

13 7. Plaintiff will delete the allegation in ¶ 6.5, which alleged: “Rather than doing the
14 right thing and ceasing collections and/or return the account as uncollectible”

15 8. Plaintiff will delete ¶ 8.7, which alleged: “In this case, even after Plaintiff
16 disputed the fraudulent Medicaid account, Defendant continued attempting to collect the
17 disputed account, and even added fraudulent interest to the account.”

18 There are some additional minor alterations and format changes but none is significant
19 enough to be set forth here in detail. A marked up copy which reflects that changes, and a final
20 draft of the amended complaint, are attached hereto for the Court’s consideration. Although
21 these amendments include some issues presented in Defendant’s dispositive motions, the parties
22 request that, for purposes of judicial economy, the Court should consider Defendant’s pending

23 STIPULATED MOTION/ORDER
24 AMENDING COMPLAINT

25 3:21-cv-05429-RSM

1 dispositive motions and Plaintiff's responses thereto, without the need for the parties filing
2 additional briefing.

3
4 Dated this 4th day of October, 2021.

5 Presented by,

6 S//Robert W. Mitchell

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13 *Attorney for Plaintiff, Angela Campbell*

14 Stipulated by,

15 S//Marc Rosenberg

16 Marc Rosenberg (WSBA # 31034)

17 Lee Smart

18 701 Pike Street

19 Suite 1800

20 Seattle, WA 98101

21 Telephone: 206-624-7990

22 Email: Mr@leesmart.com

The Court has reviewed the parties' stipulated motion to amend Plaintiff's complaint, and for Good Cause Shown, the Court hereby orders as follows:

1. The stipulated motion to amend is hereby GRANTED;
2. Within the next 10 days, Plaintiff may file the second amended complaint with the Court in the form presented with this motion; and
3. The Court will proceed to consider Defendant's pending dispositive motions, (Dkt 11), without the need for further delay or briefing.

DATED this 19th day of October, 2021.



RICARDO S. MARTINEZ
CHIEF UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

I hereby certify under penalty of perjury under the laws of the State of Washington that on the 27th day of September, 2021, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

Marc Rosenberg, WSB No. 31034
Lee Smart
701 Pike Street
Suite 1800
Seattle, WA 98101
Telephone: 206-624-7990
Email: Mr@leesmart.com

Dated this 4th day of October, 2021, at Memphis, Tennessee.

S//Robert w. Mitchell

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